



W.P.No.8644 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.8644 of 2023

K.Somasundaram

...Petitioner

Vs

1.The District Collector,
Erode District,
Erode.

2.The Revenue Divisional Officer,
Erode.

3.The Tahsildar,
Erode.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second and third respondents to make necessary corrections in the natham land survey register and issue patta in respect of his lands in R.S.No.20/2A and 20/2B, Natham Survey No.288/1 and 288/2 situated at Kumilamparappu Vilage, Erode Taluk and District, measuring 75.36 cents based upon his representation dated 02.03.2020.

For Petitioner : Mr.R.Karthikeyan



W.P.No.8644 of 2023

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For Respondents : Mr.Yogesh Kannadasan,
Special Government Pleader

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner herein had given a representation to the second respondent on 02.03.2020 to correct the entries in the land survey register. Thereafter, the second respondent had directed the third respondent to take action on the petitioner's representation. Since there was no further progress, the present writ petition has been filed.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this



W.P.No.8644 of 2023

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Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the second respondent herein to consider and pass appropriate orders on the petitioner's representation dated 02.03.2020, after giving due opportunity to the petitioner, as well as all other persons who may be interested in the subject property, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of.

No costs.

20.03.2023

Index: Yes/No

Speaking order/Non-speaking order

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W.P.No.8644 of 2023

M.S.RAMESH,J.

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To

- 1.The District Collector,
Erode District,
Erode.
- 2.The Revenue Divisional Officer,
Erode.
- 3.The Tahsildar,
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W.P.No.8644 of 2023

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